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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/428,813	10/28/1999	SAMI INKINEN	297-008970-U	5161

7590 08/21/2003

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PERMAN & GREEN  
425 POST ROAD  
FAIRFIELD, CO 06430

EXAMINER

KUMAR, PANKAJ

ART UNIT	PAPER NUMBER
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2631

DATE MAILED: 08/21/2003

*10*

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/428,813

Applicant(s)

INKINEN ET AL.

Examiner

Pankaj Kumar

Art Unit

2631

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 11 August 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☒ Applicant's reply has overcome the following rejection(s): 112 rejections and thus rejections to claims 11 and 12.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attached.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 6, 7, 11 and 12.

Claim(s) objected to: \_\_\_\_\_

Claim(s) rejected: 1-5 and 8-10.

Claim(s) withdrawn from consideration: \_\_\_\_\_

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_
10. ☐ Other: \_\_\_\_\_

Art Unit: 2631

Charlton's memory is general purpose since it can store in general any number or character. This memory is expandable as had been described in col. 6 lines 34-35 of Charlton. This memory's location is specified in Charlton's drawings such as in fig. 4. Hence, Charlton discloses a general purpose expandable memory location.

Applicant's claims do not mention that general purpose has to include compact flash or ATA.

Applicant argues that mounting has to occur in the memory location. However, applicant's claims are written so broadly that they do not necessarily say that mounting has to occur in the memory location. Instead, applicant's claims indicate that there is mounting of a data communication device since the claim reads "mounting a data communication device". As per memory, claim indicates that communication is occurring in the memory when the claim reads "data communication in a general purpose expansion memory location".

Applicant says towards the bottom of page 9 to the top of page 10 that "... Charlton's paging operation is not a wireless operation at all" since "a user is paged ... through a modem connected to a telephone line." However, Charlton also mentions the use of a wireless modem in col. 1 line 40 with "radio frequency (RF) modem". Hence with the use of a wireless modem as Charlton has mentioned, the paging is wireless since the modem will be wirelessly connected to the telephone line.

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

The argument in the above paragraph applies for anticipatory rejections as well.

In Erkkila, the CPU is connected to the general purpose interface since it is connected to the interface block 50. The thick black line between the CPU and the various internal components as shown in fig. 5, may be an internal bus; however, contrary to applicant suggestion, the interface block is not an internal bus since the interface block is interfacing with an external component.

M. Ghayour  
MOHAMMAD H. GHAYOUR  
PRIMARY EXAMINER